The Council unanimously affirmed the principle of the Bill.

Mr. Thanu Pillai then moved that Rule 45 be suspended to enable the Council to proceed with the consideration of the Bill and observed:—"Being a simple measure, I think it is not necessary to refer it to a Select Committee and would propose that the Bill may be taken up for consideration by the Council."

Seconded by Mr. Prince.

The Rule having been suspended, the Bill was considered by the Council and adopted without amendment and it was resolved that the final reading be deferred to a future day of which notice shall be given.

PUBLIC CONVEYANCES BILL.

Mr. Thanu Pillai.—At the last meeting of the Council when I asked for leave to introduce this Bill, I explained briefly the scope and object of the measure. I think I need only say a word or two now as to the several provisions of the Bill.

Section 1 contains the usual preliminary matter. Section 2 contains definitions of certain words used in the Bill, of which 'Public Conveyance' is the only term calling for special remark. It is defined as including all kinds of vehicles worked by mechanical power, provided they are used for the carriage of traffic for hire, by land or water. It will be seen that vehicles worked by mechanical power which are owned by private individuals and used for their own comfort or locomotion, or lent to their friends gratuitously, are outside the scope of the definition and therefore of the Bill itself. Section 3 prohibits the establishment of public conveyances by persons other than those licensed by Government. Sections 4 to 7 prescribe the procedure to be followed in regard to applications for licenses and indicate the conditions under which licenses can be granted. Section 8 contains an enabling provision for cancelling licenses once granted. The licensee is practically a monopolist, and if he does not establish the public conveyance for which he has obtained sanction within the time prescribed, or if after establishing the same he discontinues it, the public will be put to real inconvenience. Hence the section is necessary in the interests of the travelling public. Section 9 contains a provision enabling Government to make rules for carrying out the purposes of the measure. In fact one peculiar feature of this Bill is that the enacting portion is confined to a few general principles, while all details are left to be regulated by rules.

Sections 10, 11, 12 and 13 contain punitive provisions. Sections 10, 12 and 13 are intended for the protection of the licensee and section 11 for the protection of the public. Such provisions find a place in similar Acts in British India.

The last section will, I think, commend itself to the Council without any words from me. That section empowers Government to extend the provisions of this Bill to any transit service by land or water. I am sure all of us are aware of the extreme inconvenience caused to the public by the existing transit service. The want of a law to regulate the transit service is generally felt and this section gives the necessary power to Government.

I think I have now explained the main provisions of the Bill and I need not take up the time of the Council with any further remarks. The regulation of public conveyances and the exposition and enforcement of the responsibilities and duties of public carriers have been recognised to be within the province of the legislature in all civilized countries—witness the Railway Acts, Tramway Acts, Common Carriers Acts generally. I trust the Council will accept the principle of the Bill.

The Council having affirmed the principle of the Bill, Mr. Thanu Pillai proposed that the Bill be referred to a Select Committee consisting of Messrs. Prince, Ramier, Kochukrishna Marar and the Mover, to report within 3 weeks.

Seconded by Mr. Maltby.

Carried.

VAKILS REGULATION AMENDMENT BILL.

Mr. Ramier.—I beg to present the Report of the Select Committee on this Bill and move that it be published in the Gazette and taken up for consideration

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at a future meeting, One of the members of the Select Committee, Mr. Rajaram Rao, has not been able to sign the Report, but I may state we have had the benefit of his views and advice at the time we considered the Bill.

THE NEGOTIABLE INSTRUMENTS BILL.

Mr. Prince.—The next business on the agenda paper is the consideration of the Select Committee's Report on this Bill. But since the publication of the Report, an important case has, during the last few days, come up before the High Court, in which the presumption as to consideration contained in section 118 of the British Act read with sections 43 and 44, corresponding to sections 121, 42 and 43 respectively of the Bill, formed the subject of considerable discussion. I believe the High Court are likely to address the Government on the subject in reference to this Bill; and it would, I think, be well to wait till their suggestions are received. I beg, therefore, to propose that the consideration of the Bill be deferred to the next meeting.

Seconded by Mr. Maltby.

Carried.

The Council adjourned at 3-20 P. M.

K. KRISHNASWAMY RAO,
President.

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